

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:09CR3126
)	
v.)	
)	
TIMOTHY S. FULTON,)	MEMORANDUM AND ORDER
)	
Defendant.)	

The defendant has moved for release from detention to live at home and begin a job. (Filing No. [26](#)). The government objects to defendant's motion. (Filing No. [27](#)). Although the defendant has apparently resolved issues related to outstanding warrants, the remainder of his background, including his history of thirty-four prior failures to appear, has not changed.

The defendant continues to pose a risk of nonappearance and danger to the community, and he has suggested no condition or combination of conditions for release that will reasonably obviate those risks.

Accordingly,

IT IS ORDERED that the government's objection, (filing no. [27](#)), is granted, and the defendant's motion for release, (filing no. [26](#)), is denied.

DATED this 21st day of January, 2010.

BY THE COURT:

s/ Cheryl R. Zwart
Cheryl R. Zwart
United States Magistrate Judge